



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES
6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



LETTER OF DEFICIENCY
WET 2003-28

September 22, 2003

Richard Homsi
84 Summit Ave
Laconia, NH 03246

RE: DES Wetlands File #2002-1204, 84 Summit Ave., Laconia

Dear Mr Homsi

On July 14, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Laconia Tax Map 167 as Lot 2 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection DES personnel documented the following deficiency:

1. Seven personal watercraft ("PWC") lifts, approved by Wetlands and Non-Site Specific Permit # 2002-1204, were not located in accordance with the approved plans by Richard Homsi, dated October 24, 2002, as received by DES on October 30, 2002. The approved plans show 2 dual PWC lifts and 3 single PWC lifts located adjacent to the docking facility. During the inspection, DES personnel observed 7 single PWC lifts located along the beach perpendicular to Summit Ave.

In response, you are requested to take the following actions:

1. Within 20 days of the date of this Letter of Deficiency relocate the PWC lifts to the locations indicated by the approved plans and submit photographs documenting compliance.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is not done in accordance with the permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All photographs and documents submitted in response to this Letter of Deficiency should be addressed as follows:

Mary Ann Tilton, Senior Compliance Officer
Wetlands Bureau
Department of Environmental Services
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY
Collis G. Adams

Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7099 3400 0003 0688 1020

cc: Rene Pelletier, Manager, Land Resources Management Program
Mark Harbaugh, Legal Unit Coordinator, DES Legal Unit
Laconia Conservation Commission
Laconia Board of Selectmen
Winnepesaukee Marine Construction Company, Inc.